

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

A.S.W. a minor child, by and through
his next friend, Jeffery Whaley,

Plaintiff,

vs.

MICHAEL J. ASTRUE,¹
Commissioner of Social Security,

Defendant.

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Case No. 4:06CV01276 ERW

AMENDED ORDER


This matter is before the Court upon the Report and Recommendation of United States Magistrate Judge Frederick R. Buckles [doc. #24] pursuant to 29 U.S.C. § 636(b).

The Court notes that no objections were filed to the Report and Recommendation within the time period afforded by 28 U.S.C. § 636(b)(1). The Court has considered the Report and Recommendation and hereby sustains, adopts and incorporates herein the Magistrate's Report and Recommendation in its entirety. The Social Security Commissioner's decision is reversed and remanded.

Accordingly,

IT IS HEREBY ORDERED that under sentence four of 42 U.S.C. § 405(g), the final decision of the Commissioner of Social Security denying Plaintiff A.S.W. disability benefits is **REVERSED**, and the case is remanded to the Commissioner for further proceedings.

Dated this 18th Day of March, 2008.


E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE

¹ Michael J. Astrue became the Commissioner of Social Security on February 12, 2007, and is substituted for former Commissioner Jo Anne B. Barnhart pursuant to Fed. R. Civ. P. 25.